UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

JUAN C. AVILA,

     Plaintiff,

v.   Case No: 8:22-cv-2305-CEH-JSS

HENDRICK ROOFING, INC.,
RANDY D. HENDRICK and DAVID
R. HENDRICK,

     Defendants.
_____/

<u>O R D E R</u>

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Julie S. Sneed on May 5, 2023 (Doc. 30). In the Report and Recommendation, Magistrate Judge Sneed recommends that: the Court grant in part the parties' Joint Motion to Approve Settlement; the Court strike the retention of jurisdiction provision from the settlement agreement and approve the settlement agreement; and the Court dismiss the case with prejudice (Doc. 26). All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is now

ORDERED AND ADJUDGED:

(1)   The Report and Recommendation of the Magistrate Judge (Doc. 30) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.

(2)   The parties' Joint Motion for Approval of Settlement (Doc. 26) is **GRANTED IN PART.** The Settlement Agreement (Doc. 26 - 1) is **APPROVED**, except as to the retention of jurisdiction provision (Doc. 26 – 1 ¶ 12), which is stricken. The Settlement Agreement constitutes a fair and reasonable resolution of a bona fide dispute.

(3)   The Court declines to retain jurisdiction to enforce the settlement agreement.

(4)   This action is **DISMISSED**, with prejudice.

(5)   The Clerk is directed to terminate all pending motions and close this file.

DONE AND ORDERED in Tampa, Florida on May 22, 2023.

Charlene Edwards Honeywell
Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Julie S. Sneed
Counsel of Record